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9  
10 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-532

13 **WENDY ROBERTA SALEEM**  
14 2761 S. Bosom, Apt 423  
Campbell, CA 95008

**A C C U S A T I O N**

15 **Registered Nurse License No. 609683**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
22 Consumer Affairs.

23 2. On or about November 22, 2002, the Board of Registered Nursing issued Registered  
24 Nurse License Number 609683 to Wendy Roberta Saleem (Respondent). The Registered Nurse  
25 License expired on May 31, 2004.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board of Registered Nursing (Board),  
28

1 Department of Consumer Affairs, under the authority of the following laws. All section  
2 references are to the Business and Professions Code unless otherwise indicated.

3 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,  
4 that the Board may discipline any licensee, including a licensee holding a temporary or an  
5 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
6 Nursing Practice Act.

7 5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license  
8 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
9 licensee or to render a decision imposing discipline on the license. Section 118 of the Code  
10 provides, in pertinent part, that an expired license may be disciplined if it is subject to  
11 reinstatement. Under section 2811(b) of the Code, the Board may renew an expired license at  
12 any time.

### 13 STATUTORY AND REGULATORY PROVISIONS

14 6. Section 2761 of the Code states, in pertinent part:

15 The board may take disciplinary action against a certified or licensed nurse or deny an  
16 application for a certificate or license for any of the following:

17 (a) Unprofessional conduct, which includes, but is not limited to, the following:

18 ...

19 (4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action  
20 against a health care professional license or certificate by another state or territory of the United  
21 States, by any other government agency, or by another California health care professional  
22 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that  
23 action.

24 ...

25 7. California Code of Regulations, title 16, section 1419.3(b), states that "a licensee may  
26 renew a license that has been expired for more than eight years by paying the renewal and penalty  
27 fees specified in Section 1417 and providing evidence that he or she holds a current valid active  
28 and clear registered nurse license in another state, a United States territory, or Canada, or by

1 passing the Board's current examination for licensure."

## 2 COST RECOVERY

3 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
4 administrative law judge to direct a licentiate found to have committed a violation or violations of  
5 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
6 enforcement of the case, with failure of the licentiate to comply subjecting the license to not being  
7 renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be  
8 included in a stipulated settlement.

## 9 CAUSE FOR DISCIPLINE

10 (Unprofessional Conduct - Out of State Discipline)  
11 (Bus. & Prof. Section 2761, subd. (a)(4))

12 9. Respondent is subject to disciplinary action under section 2761(a)(4) of the Code in  
13 that she committed unprofessional conduct, in that the State of Kansas revoked Respondent's  
14 nursing license for reasons substantially related to the practice of nursing. The circumstances are  
15 as follows:

16 10. On or about March 29, 2010, in Kansas Board of Nursing case number 08-479-5, the  
17 Kansas Board of Nursing revoked Respondent's Kansas nursing license. The revocation was  
18 based on Respondent's unprofessional conduct, as follows:

- 19 a. Respondent diverted drugs from her place of employment.
- 20 b. Respondent failed to report that she had been convicted of crimes and misrepresented  
21 her status with regard to criminal convictions.
- 22 c. Respondent failed to engage in procedures to safeguard her nursing patients, in  
23 violation of applicable policies and procedures.
- 24 d. Respondent was determined to be unsafe to practice nursing due to a drug and/or  
25 alcohol abuse problem.

26 11. On or about January 3, 2011, in Kansas Board of Nursing case number 10-837-5, the  
27 Kansas Board of Nursing imposed additional discipline on Respondent by denying Respondent's  
28

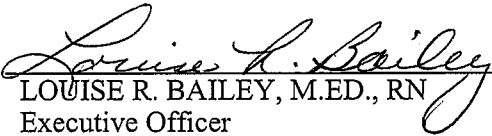
1 petition for reinstatement of her Kansas nursing license. The denial was based on the above  
2 instances of unprofessional conduct and, in addition, on the fact that Respondent had unlawfully  
3 continued to practice nursing after her Kansas nursing license had been revoked.

4 **PRAYER**

5 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
6 and that following the hearing, the Board of Registered Nursing issue a decision:

- 7 1. Revoking or suspending Registered Nurse License Number 609683, issued to Wendy  
8 Roberta Saleem;
- 9 2. Ordering Wendy Roberta Saleem to pay the Board of Registered Nursing the  
10 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
11 Professions Code section 125.3;
- 12 3. Taking such other and further action as deemed necessary and proper.

13 DATED: DECEMBER 27, 2012

14   
15 LOUISE R. BAILEY, M.ED., RN  
16 Executive Officer  
17 Board of Registered Nursing  
18 Department of Consumer Affairs  
19 State of California  
20 Complainant